

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

KATHY A. FERRELL,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant,

v.

SSAOGC,

Interested Party.

Case No. 10-cv-353-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“R & R”) (Doc. 20) of Magistrate Judge Philip M. Frazier. Specifically, Magistrate Judge Frazier recommends that the Court affirm Defendant Commissioner of Social Security’s (“the Commissioner”) denial of Plaintiff Kathy Ferrell’s (“Ferrell”) application for disability insurance benefits. The time for objections to the R & R has passed, yet none have been filed.

After reviewing a report and recommendation, the Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in the report. Fed. R. Civ. P. 72(b). The Court must review *de novo* the portions of the report to which objections are made. The Court has discretion to conduct a new hearing and may consider the record before the magistrate judge anew or receive any further evidence deemed necessary. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

Here, since no objections were filed, the Court has reviewed Magistrate Judge Frazier’s

R & R for clear error. Finding the R & R to not be clearly erroneous, the Court hereby **ADOPTS** the R & R (Doc. 20) in its entirety, whereby the Court **AFFIRMS** the Commissioner's final decision to deny Ferrell's application for disability insurance benefits. Further the Court **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: January 11, 2011

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE